**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

**W.P. No. 6285 OF 1997**

Date: 05.02.2007

Between:

G. Narasimharao and eight others.

... Petitioners.

And

APSEB rep., by its Member Secretary at Vidyut soudha, Hyderabad and three others.

... Respondents.

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**W.P. No. 6285 OF 1997**

**ORDER:**

The Petitioners claim to be performing the duties of helper having been sponsored by the Lions Club for the purpose of distributing electricity consumption bills to the 3rd and 4th respondents offices and to have served the respondent Corporation from 1993 onwards. The petitioners would submit that, while payments were released by the Electricity Board but they were paid these amounts by the Lions Club, Vijayawada and that their services were being utilized by the State Electricity Board disclosing them as contract labour. The petitioners would claim that, since they are discharging their duties under the respondent corporation, they are entitled to have their services regularized.

In the counter affidavit, filed on behalf of the respondents, it is stated that the APSEB had decided to entrust the works of distribution of bills to their consumers through voluntary organizations and accordingly distribution of bills in Vijayawada city had been entrusted to the Lions Club and the Chambers of Commerce, and that payment was being made as per rate contract only on production of acknowledgments in token of their having distributed the bills to the consumers each month. It is specifically stated that the APSEB has nothing to do with the persons engaged by the voluntary organizations or the amounts paid to them, that there is no privity of contract between the APSEB and the petitioners and that there is no employer-employee relationship between them. Since the petitioners are not even the employees of the respondent board, the question of their seeking regularization does not arise. In any event, as has been held by

the Supreme Court in **Secretary, State of Karnataka Vs. Umadevi**[1], no mandamus can be issued directing regulatisation of such employees. The writ petition fails and is accordingly dismissed.

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Date: 05.02.2007 RAMESH RANGANATHAN, J

MRKR

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[1] (2006) 4 SCC 1